

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

THE UNIVERSITY OF PITTSBURGH – OF)	
THE COMMONWEALTH SYSTEM OF)	
HIGHER EDUCATION,)	
Plaintiff,)	Civil Action No. 2:15-cv-00674-CB
v.)	
PERKINELMER, INC.,)	
Defendant.)	

**JOINT MOTION FOR LEAVE TO FILE BRIEFS IN EXCESS OF
PAGE LIMITATIONS**

Plaintiff The University of Pittsburgh – of the Commonwealth System of Higher Education d/b/a The University of Pittsburgh (the “University” or “Plaintiff”) and Defendant PerkinElmer, Inc. (“PerkinElmer” or “Defendant”) jointly request permission to file Plaintiff’s Opening Claim Construction Brief and PerkinElmer’s Responsive Claim Construction Brief in excess of the page limitations set forth in this Court’s Practices and Procedures.

1. This is a patent infringement case.
2. There are four patents-in-suit and eleven groups of claim terms in dispute. (D.I. 34).
3. Pursuant to this Court’s November 13, 2015 Case Management Order (D.I. 28), the University is required to file its Opening Claim Construction Brief on March 7, 2016, and PerkinElmer is required to file its Responsive Claim Construction Brief on March 28, 2016.

4. The parties are aware of this Court's Practices and Procedures that supporting and responsive briefs be limited to 25 pages.

5. In order to adequately address all eleven disputed groups of claim terms and the applicable legal principles, the parties believe that they may require more than 25 pages.

6. Therefore, the University respectfully requests leave of the Court to file an Opening Claim Construction Brief of no more than 35 pages.

7. Further, PerkinElmer respectfully requests leave of the Court to file a Responsive Claim Construction Brief of no more than 35 pages.

8. The parties believe that they would be prejudiced if they cannot adequately address the issues in their respective briefs without additional pages.

WHEREFORE, the University and PerkinElmer respectfully request leave of Court to file claim construction briefs in excess of the page limitation set forth in this Court's Practices and Procedures.

<p><u>/s/ Christopher H. St. Peter</u> Christopher H. St. Peter (<i>pro hac vice</i>) Stpeter@sstadheimgear.com George C. Summerfield (<i>pro hac vice</i>) summerfield@stadheimgear.com Stadheim & Gear Ltd. 400 N. Michigan Avenue, Suite 2200 Chicago, Illinois 60611 T: (312) 755-4400 F: (312) 755-4408</p> <p><i>Counsel for Plaintiff, University of Pittsburgh – of the Commonwealth System of Higher Education</i></p> <p><u>/s/ Shannon H. Paliotta</u> Shannon H. Paliotta (PA ID No. 91000) paliotta@pitt.edu University of Pittsburgh Office of General Counsel 1710 Cathedral of Learning, 4200 Fifth Avenue Pittsburgh, PA 15260-6404 T: (412) 624-5674 F: (412) 624-1606</p> <p><i>Counsel for Inventor, University of Pittsburgh – of the Commonwealth System of Higher Education</i></p>	<p><u>/s/ Eric G. Soller</u> Eric G. Soller Pa. I.D. No. 65560 Pietragallo Gordon Alfano Bosick & Raspanti, LLP One Oxford Centre 38th Floor Pittsburgh, PA 15219 T: (412) 263-2000 egs@pietragallo.com</p> <p><u>/s/ Dalila Argaez Wendlandt</u> Dalila Argaez Wendlandt (<i>pro hac vice</i>) Ropes & Gray LLP Prudential Tower 800 Boylston Street Boston, MA 02199 T: 617-951-7884 Dalila.Wendlandt@ropesgray.com</p> <p><u>/s/ Crystal Lohmann Parker</u> Crystal Lohmann Parker (<i>pro hac vice</i>) Ropes and Gray LLP 1211 Avenue of the Americas New York, NY 10036 T: (212) 596-9023 crystal.parker@ropesgray.com</p> <p><i>Counsel for Defendant, PerkinElmer, Inc.</i></p>
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CERTIFICATE OF SERVICE

I hereby certify that on February 17, 2016 I caused the foregoing **Joint Motion for Leave to File Briefs in Excess of Page Limitations** to be served on Plaintiff by causing a true copy of same to be sent via electronic mail to Plaintiff's counsel of record as follows:

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/s/ Beth Finkelstein

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